



2390/49701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Jacob Richter and Gregory Pinchasik,  
SERIAL NO. : 09/516,753  
FILING DATE : March 1, 2000  
TITLE : LONGITUDINALLY FLEXIBLE STENT  
EXAMINER : Vy Bui  
GROUP ART UNIT : 3738

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HON. ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington, D.C. 20231

ELECTION OF SPECIES AND PRELIMINARY AMENDMENT

SIR:

In response to the telephonic requirement for the election of species, Applicants elect the species of Figure 5. The claims which read on this species are 1-11, 20-50, 67-92, 95-105, and 108-119. Of these, claim 21 is generic. Claims 1, 2, 9, 11, 20, 22-33, 35-44, 67-92, 95-105, and 108-119 are sub-generic claims reading on the species of Figs. 3, 5, and 11. Claims 3-6, 10, and 49 are generic to the species of Figs. 3 and 5. Claims 45 and 47 are generic to Figs. 5 and 11. Should any of these generic or sub-generic claims be allowed, it is noted that the Applicants are entitled to a reasonable number of species.

In addition, kindly amend the claims by adding the following new claims of which all but 106 and 107 read on the elected species:

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**CONCLUSION**

If any issues remain, or if the Examiner has any suggestions for expediting allowance of this application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Favorable consideration is respectfully requested.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4303-4003US1. If a petition for extension of time is required or if there are any additional petitions required with additional fees, the petitions are hereby made and requested and payment authorized by the above Deposit account.

**A DUPLICATE OF THIS DOCUMENT IS ATTACHED.**

Respectfully submitted,

**MORGAN & FINNEGAN, L.L.P.**

Dated: February 11, 2005

By:   
Keith J. McWha  
Registration No. 44, 235

**Correspondence Address**  
**MORGAN & FINNEGAN, L.L.P.**  
3 World Financial Center  
New York, New York 10281-2101  
(212) 415-8700  
(212) 415-8701 (facsimile)